

# **HISTORIC LANDMARK DISTRICT DESIGN GUIDELINES**

(Each Landmark District is designated at different times)

## **METROPOLITAN HISTORIC ZONING COMMISSION**

Metropolitan Government of  
Nashville and Davidson County

Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, TN 37204

(615) 862-7970      fax:(615) 862-7974

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# **INTRODUCTION**

## **The National Register of Historic Places**

The Historic Landmark District is most often also listed in the National Register of Historic Places either individually or as part of a district. The National Register is a federal program administered by the Department of the Interior. Unless federal funds are used for a project, listing in the National Register has no impact on what one does to one's property. Listing in the National Register is honorary -- a way to recognize the district as an intact and important part of Nashville's, and thus America's, history.

## **The Historic Landmark District**

Designation as a Historic Landmark District also honors a Nashville landmark's historical significance, but with that recognition, historic zoning protects the building or site's unique character by requiring review of exterior work on buildings. Historic landmark districts are **locally** designated and administered by the Metropolitan Historic Zoning Commission (MHZC), an agency of the Metropolitan Government of Nashville and Davidson County. Historic landmarking is a type of overlay zoning that applies in addition to the base or land use zoning of an area; it has no impact on use.

## **What are the Design Guidelines?**

The MHZC is the architectural review board that reviews applications for work on properties within the district. Its nine members, appointed by the mayor, include representatives from zoning districts, the Metropolitan Planning Commission, the Metropolitan Historical Commission, architect(s), and others. Design review is administered according to a set of design guidelines. The guidelines are criteria and standards developed by the MHZC which are used in determining the appropriateness and architectural compatibility of proposed projects. The guidelines provide direction for projects affecting historically significant landmarks in Davidson County and ensure that the decisions of the MHZC are not arbitrary or based on anyone's personal taste.

The guidelines protect the landmark areas or structures from alterations that would lessen their architectural significance, new construction or additions not in character with the landmark area or structure, and from the loss of architectural, archaeological, or historically important structures or sites.

By state law, guidelines for landmark structures or areas must be in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* -- standards developed by the National Park Service and used by private and public preservation organizations throughout the country.

## Getting Approval

If you are planning to

- **BUILD** a new structure,
- **BUILD** an appurtenance (fence, wall, gazebo, etc.),
- **ADD** onto an existing building,
- **DEMOLISH** a structure,
- **REPAIR** or **ALTER** the exterior features of a historic building,

One step is added before beginning work or, when needed, applying for a building permit: **YOU MUST FIRST OBTAIN A PRESERVATION PERMIT FROM THE MHZC.**

*Projects which do not require building permits from Metro Codes but involve exterior or site work must still be reviewed by the MHZC to insure compliance with the design guidelines.*

1. Call the MHZC at 862-7970 to determine whether the MHZC reviews the particular type or work you are proposing; and if so, to obtain an application form for a preservation permit and to make an appointment to meet with staff.

The staff will meet with you on site to discuss your project, answer any questions, and advise you on whether the plans meet the design guidelines. The staff can guide you in making your plans meet the guidelines and will provide free design advice on request.

When you submit your completed application, the staff will determine whether a preservation permit can be issued immediately or if the work requires review by the Commission.

Regular meetings of the Commission are scheduled for the third Wednesday of every month. A special meeting will be called if a complete application is received more than fifteen working days prior to a scheduled meeting.

2. Take the preservation permit to the Metropolitan Department of Codes Administration.

Officials at Codes will review your plans for compliance with regular zoning and building code regulations -- applicable whether or not your property is in a historic landmark district.

Permit fees (amount charged depends on the type and value of the work done) will be charged to you then. Codes is located on the second floor in the rear section of the Metro Howard Office Building, 700 2nd Avenue South.

## FREE DESIGN HELP AVAILABLE

The MHZC staff can meet on site to discuss a maintenance problem, interior work, or other issues that are not necessarily reviewed under landmark designation. We have a library of materials on historic architecture and restoration technology, and files on preservation products and services, which are all available to the public.

## ENFORCEMENT

*Work done without a preservation permit, or contrary to the specification on a preservation permit, is a violation of the Landmark Regulations* established under Section 17.36, Overlay Districts, in Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County.

Like the Building Code, the Landmark Guidelines are a legal document. Work done without prior review and approval by the MHZC is subject to fines and other penalties.

The MHZC staff regularly monitors the historic landmark districts for compliance with the regulations. In addition, staff members frequently receive notice from area residents of possible violations. When a violation is discovered, staff determines the most appropriate course of action. Typically, the following steps are taken to reach compliance:

1. If the work is still underway, a Stop Work Order is posted.
2. A violation notice is mailed to the property owner. The notice cites the infraction and identifies a deadline for contacting the MHZC. Once the owner or his/her representative contacts the MHZC, staff provides information on how to abate the violation; a deadline is established for reaching compliance.
3. If the violation is not abated within the specified time frame, staff issues a citation to appear in the General Sessions Court of Davidson County.

## APPEALS

Appeals to decisions by the MHZC staff may be made to the Metropolitan Historic Zoning Commission itself; appeals to the decisions of the Commission may be made to a court of competent jurisdiction as provided for by law.

## **AMERICANS WITH DISABILITIES ACT (ADA)**

The MHZC recognizes that the facilities housing the programs, services and activities of the Metropolitan Government are subject to regulation under Title II of the Americans with Disabilities Act (ADA). The ADA requires that such facilities be readily accessible and usable by individuals with disabilities. The ADA also recognizes that alterations of facilities necessary to make them accessible may threaten the preservation of facilities with historical significance.

The MHZC, through historic zoning, protects facilities with unique character by requiring review of exterior work on buildings of historical significance. The alteration of historic landmark structures owned, operated, or controlled by the Metropolitan Government shall comply to the maximum extent possible with Americans with Disabilities Act Accessibility Guidelines (ADAAG) section 4.7.1. Only in the very rare situations, in which it has been determined under the procedures established by the ADA and ADAAG that it is not feasible to provide physical access in a historic property using the special access provisions established by ADAAG without destroying the historical significance of the property, will the alternative methods of achieving accessibility set forth in CFR 35.150(b)(2) be employed.

## **LANDMARK GUIDELINES**

*Italicized sections contain interpretive information; they are not part of the guidelines themselves. It is important to remember that every building is different and what may be appropriate for one building may be not appropriate for another.*

### **PURPOSE OF THE DESIGN GUIDELINES**

Guidelines are criteria and standards that the Metropolitan Historic Zoning Commission must consider in determining the appropriateness of proposed work to a Landmark. Appropriateness must be determined in order to accomplish the goals of Landmark designation, as outlined in Chapter 17.36.100 of the Landmark Regulations for Nashville and Davidson County:

1. To preserve and protect the historical and/or architectural value of buildings or other structures;
2. To regulate exterior design, arrangement, texture, and materials proposed to be used within the historic district to ensure compatibility;
3. To create an aesthetic appearance which complements the historic buildings or other structures;
4. To foster civic beauty;
5. To strengthen the local economy; and
6. To promote the use of landmarks for the education, pleasure, and welfare of the present and future citizens of Nashville and Davidson County.

## GUIDELINES

These guidelines are directly based on ***The Secretary of the Interior's Standards for Rehabilitation & The Secretary of the Interior's Standards for the Treatment of Historic Properties***. These standards have been developed to guide work undertaken on historic buildings that are significant to historic, architectural, and cultural values.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal changes to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historical significance in their own right shall be retained and preserved.

*Occasionally, an addition or major remodel in a new style to an earlier structure can be as architecturally important as an unaltered historic structure.*

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means necessary.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.



## **GUIDELINES** (Continued)

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

*Generally, an addition should be situated at the rear of a building in a way that will minimize the visual impact upon public facades.*

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

*An addition should connect to the associated building in such a way that the original form of the building is visually evident.*

## **BUILDING SITE**

Some Historic Landmark Districts consist only of the historic building and the land immediately underneath it. Other landmark districts consist of a building *and* the landscape surrounding the landmark. Often this landscape or *site* is an integral part of the landmark's importance and construction on or alteration of the site may have an impact on the landmark building itself. The following guidelines are intended for use when construction is proposed on a landmark site:

1. Features of the site that are important in defining the overall character of the landmark should be identified, retained, and preserved. Removal or radical change of site features which are important in defining the overall historic character of the landmark should be avoided.
2. Removal or relocation of buildings or landscape features which are historically related to the landmark shall be avoided.
3. Repair of deteriorated landscape or site features rather than replacement is encouraged where possible. Addition of conjectural landscape features which would create a false sense of historic development should not occur.
4. Construction of new buildings adjacent to the landmark building shall not detract from or diminish the value of the landmark itself. Standards 9 & 10 from the above guidelines address new construction and shall be applied when new buildings are proposed in a landmark district.
5. New or added exterior site features shall be placed so as not to detract from or diminish the value of the landmark itself.

*Signage and lighting should be appropriately scaled and styled to complement the historic landmark. Signage should be placed so as not to obscure architectural details.*

6. Site work including construction of parking and utility work shall be undertaken carefully so as not to disturb architectural or archaeological features of the landmark site.

*New parking should be placed to the rear of the landmark building to minimize adverse visual impact. Parking surface should be selected to minimize harm to the landscape surrounding the landmark. Excavation work should be carefully undertaken and care shall be used to properly record any archaeological materials encountered.*

## **DEMOLITION**

The demolition of a building, or major portion of a building, which contributes historically or architecturally to the character and significance of the historic landmark district is not appropriate.

### ***Demolition is not appropriate***

1. If a building, or major portion of a building, contributes to the architectural or historical significance or character of the landmark.

### ***Demolition is appropriate***

1. If a building, or major portion of a building, does not contribute to the architectural or historical character or significance of the landmark; or
2. if a building, or major portion of a building, has irretrievably lost its physical integrity to the extent that it no longer contributes to the landmark's architectural or historical character or significance; or
3. If the denial of the demolition will result in an economic hardship on the applicant as determined by the MHZC in accordance with section 17.120.190, as amended, of the historic zoning ordinance.